

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

NICHOLAS J. WRIGHT	:	CIVIL ACTION
	:	
v.	:	NO. 18-2207
	:	
RISTORANTE LA BUCA INC., et al	:	


ORDER

AND NOW, this 22nd day of October 2018, upon considering Plaintiff's Motion for summary judgment (ECF Doc. No. 24), Defendant's Response expressing no opposition (ECF Doc. No. 33), and for reasons in the accompanying memorandum, it is **ORDERED** Plaintiff's Motion (ECF Doc. No. 24) is **GRANTED in part** and **DENIED in part**:

1. Plaintiff's Motion (ECF Doc. No. 24) is **GRANTED** as to liability under the Fair Labor Standards Act and the Pennsylvania Minimum Wage Act against Defendant Ristorante La Buca Inc. d/b/a Ristorante La Buca;

2. Plaintiff's Motion (ECF Doc. No. 24) is **DENIED** as to his claim of willfulness under the Fair Labor Standards Act as there are genuine issues of material fact precluding judgment on willfulness at this stage; and,

3. The parties shall proceed towards trial on Plaintiff's claims: under the Fair Labor Standards Act against the individual Defendants; for willfulness under the Fair Labor Standards Act against Ristorante La Buca Inc.; under the Pennsylvania Wage Payment Collection Law; and, for damages.



KEARNEY, J.